

HOUSE BILL 706

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E4

2003 Regular Session
3r1464
CF 3r2131

By: **Delegates Vallario, Amedori, Barkley, Boschert, Boutin, Bronrott, Cadden, Cardin, G. Clagett, Conway, Donoghue, Doory, Dumais, Fulton, Hammen, Healey, Heller, Hixson, Howard, Kach, Love, Mandel, McDonough, Minnick, Morhaim, O'Donnell, Owings, Rudolph, Sophocleus, and Stocksdales**

Introduced and read first time: February 7, 2003
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - Mandatory Supervision - Diminution Credits and Sentences**

3 FOR the purpose of broadening the prohibition against awarding certain inmates
4 certain diminution credits on a sentence to apply to inmates who are convicted
5 and sentenced to imprisonment for any crime committed while on mandatory
6 supervision that is later revoked; providing for the application of this Act; and
7 generally relating to diminution credits and mandatory supervision.

8 BY repealing and reenacting, with amendments,
9 Article - Correctional Services
10 Section 3-711 and 7-502
11 Annotated Code of Maryland
12 (1999 Volume and 2002 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Correctional Services**

16 3-711.

17 If an inmate is convicted and sentenced to imprisonment for a crime committed
18 while on parole OR MANDATORY SUPERVISION and the parole OR MANDATORY
19 SUPERVISION is revoked, diminution credits that were awarded before the inmate's
20 release on parole OR MANDATORY SUPERVISION may not be applied toward the
21 inmate's term of confinement on return to the Division.

22 7-502.

23 (a) An individual on mandatory supervision remains in legal custody until the
24 expiration of the individual's full term.

1 (b) An individual on mandatory supervision is subject to:

2 (1) all laws, rules, regulations, and conditions that apply to parolees; and

3 (2) any special conditions established by a commissioner.

4 (c) If an inmate is convicted and sentenced to imprisonment for a [violent]
5 crime committed while on mandatory supervision and the mandatory supervision is
6 revoked, diminution credits that were awarded before the inmate's release on
7 mandatory supervision may not be applied toward the inmate's term of confinement
8 on return to the Division.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
10 construed to apply only prospectively and may not be applied or interpreted to have
11 any effect on or application to a crime committed while on mandatory supervision
12 before the effective date of this Act.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2003.